

## **REMARKS**

The specification has been amended to correct typographical and grammatical errors.

In addition, enclosed is a new Abstract on a single sheet of paper as required by M.P.E.P. §608.01b.

Regarding the requirement for a brief description of the drawings section, this is provided on page 27, line 23 to page 29, line 12 of the specification.

In addition, claim 1 has been amended for clarity and to essentially include the subject matter of claims 2 and 3 and claims 2 and 3 have been cancelled, claims 4-7 have been amended to avoid improper multiple dependency, all of the claims have been amended to place the claims in more traditional U.S. format, and claims 8-21 have been cancelled and replaced by new claims 22-74. New claims 22-26 correspond to former claim 9; claims 27-31 to claim 8; claims 32-41 to claim 10; claim 42 to claim 11; claim 43 to claim 12; claim 44 to claim 13; claims 45-54 to claim 14; claims 55-62 to claim 15; claims 63-72 to claim 16; claim 73 to claim 18; and claim 74 to claim 19.

Main claim 1 now recites an analyzing cartridge comprising a plurality of reservoirs, capillaries connected for communication between these reservoirs, at least one of said reservoirs having an opening leading to the outside of the analyzing cartridge, at least one of the reservoirs having an opening being covered with a gas-permeable/non-liquid-permeable vent, and a reagent for use in analysis located in at least one of said reservoirs having an opening covered with a vent, at least a part of the reagent being a non-fluid reagent,

In the Office Action the Examiner rejected, inter alia, claims 1-3 under 35 U.S.C. §102(e) for being anticipated by U.S. Patent No. 6,197,595 to Anderson et al. (hereafter Anderson).

As noted by the Examiner, Anderson discloses an analytical cartridge having a plurality of connected reservoirs and capillaries, and vents are disposed at intermediate positions in the channels and have a gas permeable fluid barrier. However, the reservoirs of Anderson are for mixing two fluids or measure liquids.

In addition, a sample collection chamber may have a "reagent or reagents" for the stabilization of the sample or these reagents may be disposed in a "reagent storage chamber" adjacent to and fluidly connected with the sample collection chamber. See column 23, lines 15-20 of Anderson.

What Anderson does not disclose as required in the analyzing cartridge of claim 1 is the presence of a reagent, at least a part of which is a non-fluid reagent, in a reservoir having a vent. As a result, it is possible to accurately obtain reagent solutions of the required concentration by simply introducing measured amounts of a reagent dissolving liquid in the reservoir containing the non-fluid reagent when detection is actually being carried out. As set forth in dependent claims 45-54, for example, the amounts of dissolving liquid can be accurately controlled by simply allowing or regulating the entry/exit of a gas via the vents by a liquid feed control device attached to the cartridge, thus making it possible to obtain reagent solutions of the required concentration.

Accordingly, it is not believed claim 1 can be considered anticipated by Anderson and its withdrawal as a ground of rejection of the claim under §102(e) is therefore requested.

Nor is it believed any of claims 4-8 and 22-74, all of which depend directly or indirectly from claim 1, are anticipated by Anderson both for the reason claim 1 is not anticipated by Anderson and because they also include additional limitations not found in Anderson. For instance, Anderson does not disclose anything similar to the liquid feed control device that is used in combination with the vent of the reservoir containing the reagent, at least a part of which is a non-fluid reagent, of claims 45-72.

Reconsideration of the rejection and allowance of claims 1, 4-8 and 22-74 is therefore requested.

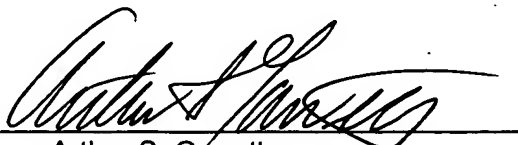
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: June 7, 2004

By:   
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**Attachments:      New Abstract**